GOVERNMENT OF INDIA
COMMERCE AND INDUSTRY
LOK SABHA

UNSTARRED QUESTION NO:1798
ANSWERED ON:15.03.2005
US ANTI- DUMPING RESTRICTIONS
Scindia Shri Jyotiraditya Madhavrao

Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether WTO has permitted India and seven other nations to impose counter restrictions/fees against the countries imposing anti-dumping restrictions on these countries;

(b) if so, the details thereon; and

(c) the steps taken by the Government in pursuance thereof?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY(SHRI E.V.K.S. ELANGOVAN)

(a) & (b): Pursuant to the adoption of World Trade Organization (WTO) Panel and Appellate Body Reports which held the US legislation, commonly known as Byrd Amendment, not to be in conformity with the obligations under the WTO, the US was required to bring this legislation into conformity with the WTO obligations. The US had time until 27 December,2003 to bring this legislation into conformity with the WTO Rules. But the US failed to comply with this decision within the specified time limit. Subsequently India along with Brazil, Canada, EU, Korea, Japan and Mexico have obtained authorization from the Dispute Settlement Body (DSB) to impose counter measures against the US for its failure to comply with the DSB decision in this dispute. The counter measure may consist of additional import duties above the bound customs duties on certain US products up to a pre-determined level that is as approved by the WTO arbitrator.

(c): Government has identified an indicative list of products on which additional import duties, as counter measures, could be imposed.